

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

RICHARD ROY SCOTT,

Plaintiff,

v.

SHAUNA ANDERSON, *et al.*,

Defendants.

No. MC05-5029

ORDER PERMITTING CASE TO PROCEED

This matter comes before the Court *sua sponte*. On April 5, 2005, the United States District Court judges who sit in Tacoma entered an order dismissing a number of plaintiff's causes of action and barring future litigation unless plaintiff provides a signed affidavit, along with the proposed complaint, "verifying under penalty of perjury that none of the issues raised in the proposed complaint have been litigated in the past by the plaintiff." On July 6, 2006, the Clerk of Court received a complaint, a motion to proceed without fee, a written consent for payment of costs, and a declaration signed by Mr. Scott. Dkt. # 74 and 75. These documents are now before the undersigned for review pursuant to the terms of the bar order.

Plaintiff asserts a § 1983 claim against Shauna Anderson and Andy Anderson, employees at the Special Commitment Center ("SCC"). Plaintiff alleges that Ms. Anderson told lies about plaintiff in retaliation for a deposition taken in December 2005. Plaintiff asserts that Ms. Anderson's lies placed him in danger and resulted in his placement in the Special Needs

ORDER

1 Unit at the SCC.

2 Although Andy Anderson's role in this dispute is unexplained and the
3 constitutional basis for plaintiff's Section 1983 claim against Shauna Anderson is unclear, the
4 undersigned finds that the issues raised in the above-captioned matter have not been previously
5 litigated by plaintiff and may proceed subject to the other requirements imposed by the "Order
6 Adopting Report and Recommendation," dated April 5, 2005. The Clerk of Court shall docket
7 this order in MC05-5029 and open a new cause of action containing all documents related to
8 plaintiff's July 6, 2006, submission (Dkt. # 74 and 75). The Clerk shall send copies of this
9 Order, along with copies of Dkt. # 74 and 75, to plaintiff.

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11 DATED this 25th day of July, 2006.

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15 Robert S. Lasnik,
16 Chief Judge, United States District Court
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